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PART I

IMPORTANT GOVERNMENT ORDERS

FINANCE SECRETARIAT

Issues instructions *re.* Production of Insurance Policies offered as Additional Security at the time of executing the bond for drawal of the sanctioned House Building Advance/House Purchase Advance/House Repair Advance.

Ref :—O. M. No. FD 20 RFC 61, dated 8th April 1963.

OFFICIAL MEMORANDUM

No. FD 694 PLA 66, Bangalore, dated the 13th March 1969.

In Official Memorandum No. FD 20 RFC 61, dated 8th April 1963, no instructions have been issued for getting the Mysore Government Insurance

Department and/or Life Insurance Corporation Policies, which have been given as additional security, assigned in favour of Government of Mysore.

2. Article 216 (9) of M. F. C. prescribes obtaining of necessary certificates from the Mysore Government Insurance Department and/or Life Insurance Corporation in respect of the insurance policies offered as additional security before sanctioning the advance.

3. According to Article 217 (1) (a) of M. F. C., on receipt of the order sanctioning the advance, the Government servant to whom the advance is sanctioned, will arrange to complete the prescribed formalities such as execution of agreement, mortgage deed, surety bond, undertakings in the prescribed forms, *assignment of life insurance pilicy* or policies, etc. (wherever necessary) before the appropriate authority and furnish to him a payee's receipt in Form 3 for his certificate to the effect that the necessary agreement and/or mortgage deed, undertakings, *assignment of policies*, etc., have been executed.

4. Articles 209 to 217 of M. F. C. cited in the Form of Agreement (Form 41) and Clause (7) thereof entitle Government to recover the balance of the advance with interest from the insurance amounts, etc. A similar clause is also introduced in Form 38 (Form of Mortgage Deed).

5. There is thus adequate provision in the Rules mentioned above to get the policies offered as additional security pledged to Government/assigned in favour of Government. The instructions issued in O. M. No. FD 20 RFC 61, dated 8th April 1963 are only supplementary to those contained in the above Rules and the salient features are explained in the said O. M.

6. In so far as Mysore Government Insurance Department O. B. Insurance Policies are concerned, as according to Rule 24 of the Rules for compulsory Insurance of Mysore Government Insurance, settlement of claims shall be subject to the deduction of any amount due to Government in respect of—

House Building Advance
House Purchase Advance
House Repair Advance and
Advances for Purchase of a Conveyance and
Festival advance.

7. Only unencumbered policies are accepted as additional security. The acceptance of such unencumbered O. B. Insurance Policies and the mention of it in the sanction order with a copy endorsed to the Secretary, Mysore Government Insurance Department, is more than enough and its actual assignment is not an absolute necessity as in the case of Life Insurance Corporation and other Insurance Policies. Again as the appropriate authority will have accepted the Mysore Government Insurance Department unencumbered O. B. Insurance, assured amount as additional security on the face of the certificate issued by the Secretary, Mysore Government Insurance Department, his (Appropriate authority) enforcing the production of the said O.B Insurance Policy is also not necessary. But, however, if the appropriate authority as countersigning authority desires to verify the Insurance Policy under reference, it should not be difficult for the grantee to produce it for the purpose as unencumbered policies are in the custody of the policy holders.

MAZHARUL HAKH,
Under Secretary to Government,
Finance Department.